

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

THE STATE OF OKLAHOMA et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN et al.,

Defendants.

No. 5:21-cv-1069-G

**DEFENDANTS' CONSENT MOTION  
FOR LEAVE TO FILE AN OVERSIZED BRIEF**

Defendants respectfully request that the Court grant Defendants leave to file an oversize brief in response to Plaintiffs' pending Motion for Temporary Restraining Order and Preliminary Injunction ("Motion"), Dkt. 9, permitting the length to be no more than 45 pages. A proposed order will be submitted separately.

Plaintiffs filed the Motion on November 15, 2021. To respond, Defendants must provide an overview of several executive and administrative actions by the Federal Government, discuss Plaintiffs' standing to sue, evaluate Plaintiffs' request compared against the preliminary injunction factors,<sup>1</sup> and address seven separate merits claims involving statutory, regulatory, and constitutional issues. Defendants therefore respectfully request leave to file an oversize brief of no more than 45 pages in length in response to the Motion.

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<sup>1</sup> These are whether Plaintiffs have shown: (1) a likelihood of success on the merits; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that a balance of equities tips in Plaintiffs' favor; and (4) that an injunction is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008).

Defendants have conferred with Plaintiffs, and Plaintiffs consent to this request but reserve their right to file a commensurately long reply. Defendants do not oppose the Court granting Plaintiffs leave to file a commensurately oversized reply brief.

Defendants appreciate the Court's consideration and respectfully request entry of Defendants' proposed order.

Dated: December 1, 2021

Respectfully submitted,

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/s/ Kristin A. Taylor  
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**CERTIFICATE OF SERVICE**

On December 1, 2021, I electronically submitted this document to the clerk of court of the U.S. District Court for the Western District of Oklahoma using the court's electronic case filing system. I certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Kristin A. Taylor

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